

Remarks

This Amendment is responsive to the Official Action mailed May 16, 2002 (Paper No. 10). Entry of this Amendment and reconsideration of the subject application in view thereof are respectfully request. Please enter all new claims or changes reflected in Appendix A.

The status of the claims is as follows:

Amended:	none
Cancelled:	27-38, 45 and 51-53
New:	60-78
Pending:	60-78

The claim fee status is as follows:

- ☒ Large
Entity
☐ Small
Entity

		After Amdmt	Paid for	Fee due for	Fee code
	Independent Claims:	1	3	0	Lg =102 Sm =202
	Total Claims	19	20	0	Lg =103 Sm =203

The number of total claims and of independent claims remains less than the amount for which fees were previously paid.

It is believed that entry of this Amendment is timely filed. Notwithstanding, Applicants hereby authorize the Commissioner to charge any additional claim fees or time extension fees required by entry of this Amendment to Deposit Account No. 05-0258.

The claims have been amended to more clearly define the invention. New claims 60-78 recite substantially the same subject matter as former claims 27-38, 45 and 51-53. Support for the new claims is either apparent, or is as described in the text below.

The text of the application at page 6, lines 21-26, for example, states that "Further preferred fragments include an isolated polypeptide comprising an amino acid sequence having at least 15, 20, 30, 40, 50 or 100 contiguous amino acids from the amino acid sequence of SEQ ID NO: 2 or 4..." This text more than sufficiently identifies the segments recited in claim 60.

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misplaced. An anticipatory reference must be identical, not merely similar to the claimed invention, and must be shown in as complete detail as contained in the claim. Similarly, a mere suggestion that an unrelated protein may have potential role as a vaccine antigen is insufficient to anticipate instant the present invention under 35 U.S.C. §102(b). Accordingly, Sarwar et al. does not anticipate claims 60-78. Withdrawal of rejection is respectfully requested.

FEE DEFICIENCY

- ☒ If an extension of time is deemed required for consideration of this paper, please consider this paper to comprise a petition for such an extension of time; The Commissioner is hereby authorized to charge the fee for any such extension to Deposit Account No. 05-0258.

and/or

- ☒ If any additional fee is required for consideration of this paper, please charge Account No. 05-0258.

Closing Remarks

Applicants thank the Examiner for the Office Action and believe this response to be a full and complete response to such Office Action. Accordingly, favorable reconsideration in view of this response and allowance of the pending claims are earnestly solicited.

Respectfully submitted,



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